

CHAPTER 15-DEFINITIONS

Actual Miles - The true total miles traveled by a fleet of apportioned power units.

Allocation – A system of registering a Fleet that operates in more than one Member Jurisdiction under which the vehicles are fully registered in individual Member Jurisdictions in proportion to a measure of the presence or travel of the Fleet in each one, and under which the vehicles so registered are granted Reciprocity in all Member Jurisdiction which any of the vehicles of the Fleet is registered.

Allocated Vehicle - A vehicle to which a particular jurisdiction's basic registration plate or apportioned registration plate is attached upon payment of the jurisdiction's full basic registration fee. A portion of each fleet of one-way vehicles is "allocated" to each jurisdiction into or through which the fleet travels (each vehicle of the fleet need not enter every jurisdiction).

APM – The Audit Procedures Manual required to be maintained by Section 1000.

Applicant - A person in whose name an application is filed for registration under the Plan.

Apportionable Fee - Any periodic recurring fee or tax required for registering vehicles, such, registration, license, or weight fees.

Apportionment - An optional method of registering commercial vehicles operating on an interstate basis. (A fleet operator may apply for apportioned registration and pay fees based on the mileage traveled in each state.) A registration based on the proportional payment of registration fees, whether determined by the quotient of total distance traveled, revenue received, average presence, or any other similar method approved in the plan.

Apportionable or Apportion Registered Vehicle - Any vehicle used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and is used for the transportation of persons for hire or designed, used or maintained primarily for the transportation of property and:

- Is a power unit having two axles and a gross vehicle weight (GVW) or registered gross vehicle weight in excess of 26,000 pounds; or
- Is a power unit having three or more axles, regardless of weight; or
- Is used in combination, when the combination weight exceeds 26,000 pounds gross vehicle weight.

**Option of the registrant:* Vehicles, or combinations thereof, having a gross vehicle weight of 26,000 pounds or less and 2 axle vehicles and buses used in transportation of chartered parties may be apportion registered.

Exceptions: Recreational vehicles, vehicles displaying restricted plates, city picks up and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles.

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Audit - A physical examination of a registrant's operational records including source documentation to verify fleet distance reported in the Registrant's application for apportioned registration and the accuracy of the Registrant's record-keeping system for its Fleet. Such an examination may be of multiple Fleets for multiple years.

Auxiliary Axle – An Auxiliary undercarriage assembly with a fifth wheel and tow-bar used to convert a Semi-Trailer to a Trailer.

Axle - An assembly of a vehicle consisting of two or more wheels whose centers are in one horizontal plane, by means of which a portion of the weight of a vehicle and its load, if any, is continually transmitted to the roadway.

Base Jurisdiction – The Member Jurisdiction, selected in accordance with Section 305, to which an Applicant applies for apportioned registration under the Plan or the Member Jurisdiction that issues apportioned registration to a Registrant under the Plan.

Base Plate - The license plate issued by the base jurisdiction and shall be the only registration identification plate issued for the vehicle by any member jurisdiction.

Cab Card – An evidence of registration, other than a Plate, issued for an Apportioned Vehicle registered under the Plan by the Base Jurisdiction and carried in or on the identified vehicle.

California Resident - As defined in CVC 516: "Resident" means any person who manifests an intent to live or be located in this state on more than a temporary or transient basis. Presence in the state for six months or more in any 12-month period gives rise to a rebuttable presumption of residency.

The following are evidence of residency for purposes of vehicle registration:

- (a) Address where registered to vote.
 - (b) Location of employment or place of business.
 - (c) Payment of resident tuition at a public institution of higher education.
 - (d) Attendance of dependents at a primary or secondary school.
 - (e) Filing a homeowner's property tax exemption.
 - (f) Renting or leasing a home for use as a residence.
 - (g) Declaration of residency to obtain a license or any other privilege or benefit not ordinarily extended to a nonresident.
 - (h) Possession of a California driver's license.
 - (i) Other acts, occurrences, or events that indicate presence in the state are more than temporary or transient."
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Carrier - Fleet operator who engages in the transportation of passengers or property for compensation or hauls their own commodity (private).

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Chartered Party - A group of persons who, pursuant to a common purpose and under a single contract, have acquired the exclusive use of a passenger-carrying Motor Vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by a group after leaving the place of origin. This term includes services rendered to a number of passengers that a passenger carrier or its agent has assembled into a travel group through sales of a ticket to each individual passenger covering a round trip from one or more points of origin to a single advertised destination.

Certified Funds - A payment instrument guaranteed by cash on deposit, e.g. certified or cashier's check or money order

Combination of Vehicles - A power unit used in combination with one or more trailers, semi-trailers and/or auxiliary axles.

Combined Gross Weight (CGW)

or

Combined Gross Vehicle Weight (CGVW) - See Page 14-4.

Commercial Vehicle - As defined in CVC Section 260(a): "A 'commercial vehicle' is a vehicle of a type required to be registered under this code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property."

Commercial Vehicle Registration Act of 2001 - Senate Bill 2084 which was signed into law on September 29, 2000, created this law which effective December 31, 2001, significantly changed the annual fee structure for all commercial motor vehicles and created the Permanent Trailer Identification program for all trailers except camp trailers and park trailers.

Credentials – Cab cards, plates, and stickers issued by the base jurisdiction to substantiate valid registration of apportionable vehicles.

CVC or V.C.- California Vehicle Code. The statutory authority that sets forth the California state laws related to vehicle and driver licensing.

CVRA - See "*Commercial Vehicle Registration Act of 2001*".

Distance - For purposes of IRP, the word distance, or distances, as used in this handbook, is intended to be synonymous with "miles" or "mileage."

Enforcement Date - The date the base jurisdiction requires a registrant to display the new registration year's credentials.

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Established Place of Business - A physical structure located within the Base Jurisdiction that is owned or leased by the Applicant or Registrant and whose street address shall be specified by the Applicant or Registrant. This physical structure shall be open for business and shall be staffed during regular business hours by one or more persons employed by the Applicant or Registrant on a permanent basis (i.e., not an independent contractor) for the purpose of general management of the Applicant's or Registrant's trucking-related business (i.e., not limited to credentialing, distance and fuel reporting, and answering telephones inquiries).

The Applicant or Registrant need not have land line telephone service at the physical structure. Operational Records concerning the Fleet shall be maintained at this physical structure (unless such records are to be made available in accordance with the provisions of Section 1020). The Base Jurisdiction may accept information it deems pertinent to verify an Applicant or Registrant has an Established Place of Business within the Base Jurisdiction.

Estimated Distance – Either (i) the anticipated distance of a Fleet is expected to travel in a Member Jurisdiction during an applicable Registration Year as reported by an Applicant or (ii) the distance assigned to a Fleet by the Base Jurisdiction as determined in Section 320.

Extension – A period of time from the expiration date or end of a Grace Period during which Registrants may operate on expired Credentials by reason of the inability of the Base Jurisdiction to provide current Credentials.

Fleet - One or more apportionable vehicles designated by a Registrant for distance reporting under the Plan.

Gross Weight (GW) or Gross Vehicle Weight (GVW) - refer to Page 14-3.

Household Goods Carrier - A carrier handling: (a) personal effects and property used or to be used in a dwelling; (b) furniture, fixtures, equipment, and the property or stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, including objects of art, displays and exhibits which because of their unusual nature or value, require the specialized handling and equipment usually employed in moving household goods.

In-jurisdiction Distance – All of the distance operated during the Reporting Period or the distance estimated to be operated by a Fleet in a particular Member Jurisdiction for the Registration Year.

Interjurisdictional Movement – Vehicle movement between or through two or more Jurisdiction.

Intrajurisdictional Movement - Vehicle movement from one point within a Jurisdiction to another point within the same Jurisdiction.

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IVDR - Individual Vehicle Distance Record. The original record generated in the course of actual vehicle operation and used as a source document to verify the registrant's application for accuracy. An IVDR must contain the information set forth in the IRP Audit Procedures Manual.

Jurisdiction - A state, country, province, territory, possession, or federal district of a country.

Lease - A transaction evidenced by a written document which a Lessor vests exclusive possession, control, and responsibility for the operation of a vehicle in a Lessee for a specific term.

(a) A long-term lease is for a period of 30 days or more.

(b) A short-term lease is for a period of fewer than 30 days.

Lessee - A Person that is authorized to have exclusive possession and control of a Vehicle owned by another under terms of a Lease Agreement.

Lessor - A Person that, under the terms of the Lease agreement, authorizes another Person to have exclusive possession, control of, and responsibility for the operation of a Vehicle.

Long Term - Any period of time exceeding 29 days

Motor Carrier - A person, firm or corporation engaged in the commercial transportation of goods or persons.

Motor Vehicle - Every vehicle which is self-propelled by power other than muscular power and which does not move on rail.

Operational Records – Source documents that evidence distance traveled by a Fleet in each Member Jurisdiction, such as fuel reports, trip sheets, and driver logs, including those which may be generated through on-board recording devices and maintained electronically, as required by the APM.

Person – “Person” means a natural person or business entity such as a corporation, partnership, or limited liability company.

Plate – “Plate” means the license plate, including renewal decals, if any, issued for a Vehicle registered under the Plan by the Base Jurisdiction.

Pool – “Pool” with respect to motor bus operations, means an agreement or combination among motor carriers of passengers, with the approval of the U.S. Department of Transportation or relevant Provincial authority, to combine or divide traffic, services, or any part of their earnings.

Power Unit – “Power Unit” means a Motor Vehicle (but not including an automobile or motorcycle), as distinguished from a Trailer, Semi-Trailer, or a Auxiliary Axle.

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Properly Registered Vehicle - A vehicle which has been registered in full compliance with the laws of all jurisdictions in which it is intended to operate.

Reciprocity - The reciprocal grant by one Jurisdiction of operating rights or privileges to Properly Registered Vehicles registered by another Jurisdiction, especially but not exclusively including privileges generally conferred by Vehicle registration.

Reciprocity Agreement - An agreement, arrangement, or understanding between two or more Jurisdictions under which each participating Jurisdictions grants reciprocal rights or privileges to Properly Registered Vehicles that are registered under the laws of other participating Jurisdictions.

Reciprocity Distance – The distance traveled by Apportionable Vehicles in Jurisdictions which are not Member Jurisdictions and which grant Reciprocity without charge.

Recreational Vehicle - A vehicle used for personal pleasure or personal travel, not in connection with any commercial endeavor.

Registrant – A person in whose name a Properly Registered Vehicle is registered.

Registration Service Agent - A person or business entity who, for a fee, prepares registration applications and presents them to the department on behalf of another.

Registration Year - The twelve-month period during which, under the laws of the Base Jurisdiction, the registration issued to a Registrant by the Base Jurisdiction is valid.

Rental Fleet - Vehicles the rental owner designates as a rental fleet and which are offered for rent with or without drivers.

Rental Owner - Someone who rents vehicles to others with or without drivers.

Rental Transaction - For the rental of a vehicle, this shall be deemed to occur in the jurisdiction where such vehicle first comes into possession of the user.

Rental Vehicle - A vehicle of a rental fleet.

Reporting Period – The period of twelve consecutive months immediately prior to July 1 of the calendar year immediately preceding the beginning of the Registration Year for which apportioned registration is sought. If the Registration Year begins on any date in July, August, or September, the Reporting Period shall be the previous such twelve-month period.

Repository – The entity designated as such in Section 1300.

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Residence – The status of an Applicant or a Registrant as a resident of a Member Jurisdiction.

Restricted Plate – A plate that has a time, geographic area, distance, or commodity restriction or a mass transit or other special plate issued for a bus leased or owned by a municipal government, a state or provincial transportation authority, or a private party, and operated as part of an urban mass transit system, as defined by the Jurisdiction that issues the plate.

Semi-Trailer – A vehicle without a motor power that is designed to be drawn by a Motor Vehicle and is constructed so that a part of its weight rests upon or is carried by a towing vehicle.

Service Representative - One who furnishes facilities and services including sales, warehousing, motorized equipment and drivers under contract or other arrangements to a carrier for transportation of property by a household goods carrier.

Staggered Registration - A method of distributing fleet registration so that credentials expire in different months during the same registration year.

Total Distance - The total distance including those accrued on trip permits, operated by a fleet of apportioned vehicles in all jurisdictions during the Reporting Period.

Tractor - A motor vehicle designed and used primarily for drawing other vehicles, but not so constructed as to carry a load other than part of the weight of the Vehicle and load so drawn.

Trailer - A vehicle without motor power, designed to be drawn by a Motor Vehicle and so constructed that no part of its weight or that of its load rests upon or is carried by the towing Vehicle.

Truck Tractor - A motor vehicle designed and used primarily for drawing other vehicles, but so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Vehicle - A device used to transport persons or property on a highway, but does not include devices moved by human power or used exclusively upon rails or tracks.

Weight Decal – A decal affixed to the outside of the driver and passenger's door panel of a power unit, that reflects the top of the weight range (in thousands) of the declared gross combined weight or gross operating weight reported to the department at the time of registration or when a weight change is reported.

Wire - Communication by electronic transmission.
